

ERIK G. BABCOCK, Bar No. 172517
LAW OFFICES OF ERIK BABCOCK
1212 Broadway, Suite 726
Oakland, CA 94612-3423
(510) 452-8400 Tel
(510) 452-8405 Fax

Attorney for the Defendant
MOHAMMED YOUSEF CHAUDHRY

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 03-40210 SBA (WDB)

Plaintiff,

EX PARTE APPLICATION FOR ORDER
AUTHORIZING SUBPOENAS UNDER
RULE 17(b)

v.

MOHAMMED YOUSEF CHAUDHRY,
ALI H. KHAN,

Defendants. _____/

I, Erik Babcock make the following declarations under penalty of perjury:

1) I am an attorney duly admitted to practice in this court, and I was appointed pursuant to the provisions of the Criminal Justice Act to represent defendant Mohammed Yusef Chaudhry in the above captioned case.

2) I am informed and believe, and on the basis of said information and belief allege, that Mr. Chaudhry is unable to pay for witness fees and costs of service in connection with issuance of the attached subpoenas.

3) I am familiar with the discovery in this case, and it is my professional judgment and opinion that the witnesses identified in the attached subpoenas, namely, Anthony Armentano, Richard Fisher, Wes Pohl, John Quigley, Mike Jenkins, Janice Tobin, and Fern Martin are necessary for an adequate defense under Rule 17(b) of the Federal Rules of Criminal Procedure.

WHEREFORE, defendant prays that an order issue:

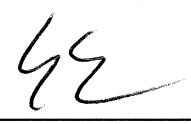
- 1) Authorizing the issuance of the attached subpoenas.
- 2) Authorizing the costs of witness fees and expenses associated with service of said subpoenas to be paid as if subpoenaed by the government.
- 3) Ordering the U.S. Marshal's Service to serve said subpoenas.
- 4) Ordering that this application and order be filed under seal.

Respectfully submitted,

LAW OFFICES OF ERIK BABCOCK

DATED: May 27, 2008

By: /S/Erik Babcock
ERIK BABCOCK



CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

SUBPOENA TO TESTIFY
IN A CRIMINAL CASE

V.

Case Number: CR 03-40210 SBA (WDB)

MOHAMMED YOUSEF CHAUDHRY

TO:

ANTHONY ARMENTANO - TIGTA
4330 WATT AVENUE, ROOM 125
NORTH HIGHLANDS, CA 95660

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below, or any subsequent date and time set by the court, to testify in the above referenced case. This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

PLACE

- ☐ United States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102

 ☐ United States Courthouse
280 South First Street
San Jose, CA 95113

 ☒ United States Courthouse
1301 Clay Street
Oakland, CA 94612

COURTROOM/JUDGE

Courtroom 3
Judge Armstrong

DATE AND TIME

6-9-08 8:30 a.m.

- ☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

NOTE : Parties requesting a subpoena requiring only the production of documents or objects at or in advance of the trial, hearing or proceeding at which the items are to be offered in evidence, must use Form CAND 89B, *Subpoena to Produce Documents or Objects in a Criminal Case*. Forms are available at the Court's Internet site: <http://www.cand.uscourts.gov>.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

Richard W. Wieking

(By) Deputy Clerk



ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

ERIK BABCOCK
1212 BROADWAY SUITE 726
OAKLAND, CA 94612
510-452-8400

CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

PROOF OF SERVICE

RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		FEEES AND MILEAGE TENDERED TO WITNESS G YES G NO AMOUNT \$ _____
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____
DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

ADDITIONAL INFORMATION

CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

SUBPOENA TO TESTIFY
IN A CRIMINAL CASE

V.

Case Number: CR 03-40210 SBA (WDB)

MOHAMMED YOUSEF CHAUDHRY

TO:

RICHARD FISHER - TAX CONSULTANT
866 RACE STREET
SAN JOSE, CA 95126

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below, or any subsequent date and time set by the court, to testify in the above referenced case. This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

PLACE

- ☐ United States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102

 ☐ United States Courthouse
280 South First Street
San Jose, CA 95113

 ☒ United States Courthouse
1301 Clay Street
Oakland, CA 94612

COURTROOM/JUDGE

Courtroom 3
Judge Armstrong

DATE AND TIME

6-9-08 8:30 a.m.

- ☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

NOTE : Parties requesting a subpoena requiring only the production of documents or objects at or in advance of the trial, hearing or proceeding at which the items are to be offered in evidence, must use Form CAND 89B, *Subpoena to Produce Documents or Objects in a Criminal Case*. Forms are available at the Court's Internet site: <http://www.cand.uscourts.gov>.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

Richard W. Wieking

(By) Deputy Clerk



ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

ERIK BABCOCK
1212 BROADWAY SUITE 726
OAKLAND, CA 94612
510-452-8400

CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

PROOF OF SERVICE

RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		FEES AND MILEAGE TENDERED TO WITNESS G YES G NO AMOUNT \$ _____
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE_____
SIGNATURE OF SERVER_____
ADDRESS OF SERVER**ADDITIONAL INFORMATION**

CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

SUBPOENA TO TESTIFY
IN A CRIMINAL CASE

V.

Case Number: CR 03-40210 SBA (WDB)

MOHAMMED YOUSEF CHAUDHRY

TO:

WES POHL - INTERNAL REVENUE SERVICE
1301 CLAY STREET
OAKLAND, CA 94612

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below, or any subsequent date and time set by the court, to testify in the above referenced case. This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

PLACE

- | | | |
|--|---|---|
| <input type="checkbox"/> United States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102 | <input type="checkbox"/> United States Courthouse
280 South First Street
San Jose, CA 95113 | <input checked="" type="checkbox"/> United States Courthouse
1301 Clay Street
Oakland, CA 94612 |
|--|---|---|

COURTROOM/JUDGE

Courtroom 3
Judge Armstrong

DATE AND TIME

6-9-08 8:30 a.m.

- ☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

NOTE : Parties requesting a subpoena requiring only the production of documents or objects at or in advance of the trial, hearing or proceeding at which the items are to be offered in evidence, must use Form CAND 89B, *Subpoena to Produce Documents or Objects in a Criminal Case*. Forms are available at the Court's Internet site: <http://www.cand.uscourts.gov>.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

Richard W. Wieking

(By) Deputy Clerk



ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

ERIK BABCOCK
1212 BROADWAY SUITE 726
OAKLAND, CA 94612
510-452-8400

CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

PROOF OF SERVICE

RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		FEEES AND MILEAGE TENDERED TO WITNESS G YES G NO AMOUNT \$ _____
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE_____
SIGNATURE OF SERVER_____
ADDRESS OF SERVER**ADDITIONAL INFORMATION**

CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

SUBPOENA TO TESTIFY
IN A CRIMINAL CASE

V.

Case Number: CR 03-40210 SBA (WDB)

MOHAMMED YOUSEF CHAUDHRY

TO:

JOHN QUIGLEY - INTERNAL REVENUE SERVICE
1301 CLAY STREET
OAKLAND, CA 94612

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below, or any subsequent date and time set by the court, to testify in the above referenced case. This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

PLACE

- ☐ United States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102

 ☐ United States Courthouse
280 South First Street
San Jose, CA 95113

 ☒ United States Courthouse
1301 Clay Street
Oakland, CA 94612

COURTROOM/JUDGE

Courtroom 3
Judge Armstrong

DATE AND TIME

6-9-08 8:30 a.m.

- ☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

NOTE : Parties requesting a subpoena requiring only the production of documents or objects at or in advance of the trial, hearing or proceeding at which the items are to be offered in evidence, must use Form CAND 89B, *Subpoena to Produce Documents or Objects in a Criminal Case*. Forms are available at the Court's Internet site: <http://www.cand.uscourts.gov>.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

Richard W. Wieking

(By) Deputy Clerk



ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

ERIK BABCOCK
1212 BROADWAY SUITE 726
OAKLAND, CA 94612
510-452-8400

CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

PROOF OF SERVICE

RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		FEES AND MILEAGE TENDERED TO WITNESS G YES G NO AMOUNT \$ _____
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____
DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

ADDITIONAL INFORMATION

CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

SUBPOENA TO TESTIFY
IN A CRIMINAL CASE

V.

Case Number: CR 03-40210 SBA (WDB)

MOHAMMED YOUSEF CHAUDHRY

TO:

JANICE TOBIN - INTERNAL REVENUE SERVICE
1 N 1ST. STREET
SAN JOSE, CA 95113

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below, or any subsequent date and time set by the court, to testify in the above referenced case. This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

PLACE

- | | | |
|--|---|---|
| <input type="checkbox"/> United States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102 | <input type="checkbox"/> United States Courthouse
280 South First Street
San Jose, CA 95113 | <input checked="" type="checkbox"/> United States Courthouse
1301 Clay Street
Oakland, CA 94612 |
|--|---|---|

COURTROOM/JUDGE

Courtroom 3
Judge Armstrong

DATE AND TIME

6-9-08 8:30 a.m.

- ☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

NOTE : Parties requesting a subpoena requiring only the production of documents or objects at or in advance of the trial, hearing or proceeding at which the items are to be offered in evidence, must use Form CAND 89B, *Subpoena to Produce Documents or Objects in a Criminal Case*. Forms are available at the Court's Internet site: <http://www.cand.uscourts.gov>.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

Richard W. Wieking

(By) Deputy Clerk



ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

ERIK BABCOCK
1212 BROADWAY, SUITE 726
OAKLAND, CA 94612
510-452-8400

CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

PROOF OF SERVICE

RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		FEES AND MILEAGE TENDERED TO WITNESS G YES G NO AMOUNT \$ _____
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____
DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

ADDITIONAL INFORMATION

CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

SUBPOENA TO TESTIFY
IN A CRIMINAL CASE

V.

Case Number: CR 03-40210 SBA (WDB)

MOHAMMED YOUSEF CHAUDHRY

TO:

MIKE JENKINS - INTERNAL REVENUE SERVICE
1 N 1ST. STREET
SAN JOSE, CA 95113

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below, or any subsequent date and time set by the court, to testify in the above referenced case. This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

PLACE

- ☐ United States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102

 ☐ United States Courthouse
280 South First Street
San Jose, CA 95113

 ☒ United States Courthouse
1301 Clay Street
Oakland, CA 94612

COURTROOM/JUDGE

Courtroom 3
Judge Armstrong

DATE AND TIME

6-9-08 8:30 a.m.

☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

NOTE : Parties requesting a subpoena requiring only the production of documents or objects at or in advance of the trial, hearing or proceeding at which the items are to be offered in evidence, must use Form CAND 89B, *Subpoena to Produce Documents or Objects in a Criminal Case*. Forms are available at the Court's Internet site: <http://www.cand.uscourts.gov>.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

Richard W. Wieking

(By) Deputy Clerk



ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

 ERIK BABCOCK
 1212 BROADWAY, SUITE 726
 OAKLAND, CA 94612
 510-452-8400

CAND 89A (Rev 1/06) Subpoena to Testify in a Criminal Case

PROOF OF SERVICE

RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		FEEES AND MILEAGE TENDERED TO WITNESS G YES G NO AMOUNT \$ _____
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____
DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

ADDITIONAL INFORMATION

CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

SUBPOENA TO TESTIFY
IN A CRIMINAL CASE

V.

MOHAMMED YOUSEF CHAUDHRY

Case Number: CR 03-40210 SBA (WDB)

TO:

FERN MARTIN - INTERNAL REVENUE SERVICE
1 N 1ST. STREET
SAN JOSE, CA 95113

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below, or any subsequent date and time set by the court, to testify in the above referenced case. This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

PLACE

- | | | |
|--|---|---|
| <input type="checkbox"/> United States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102 | <input type="checkbox"/> United States Courthouse
280 South First Street
San Jose, CA 95113 | <input checked="" type="checkbox"/> United States Courthouse
1301 Clay Street
Oakland, CA 94612 |
|--|---|---|

COURTROOM/JUDGE

Courtroom 3
Judge Armstrong

DATE AND TIME

6-9-08 8:30 a.m.

- ☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

NOTE : Parties requesting a subpoena requiring only the production of documents or objects at or in advance of the trial, hearing or proceeding at which the items are to be offered in evidence, must use Form CAND 89B, *Subpoena to Produce Documents or Objects in a Criminal Case*. Forms are available at the Court's Internet site: <http://www.cand.uscourts.gov>.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

Richard W. Wieking

(By) Deputy Clerk



ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

ERIK BABCOCK
1212 BROADWAY, SUITE 726
OAKLAND, CA 94612
510-452-8400

CAND 89A (Rev. 1/06) Subpoena to Testify in a Criminal Case

PROOF OF SERVICE

RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		FEES AND MILEAGE TENDERED TO WITNESS G YES G NO AMOUNT \$ _____
SERVED BY (PRINT NAME)		TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE_____
SIGNATURE OF SERVER_____
ADDRESS OF SERVER**ADDITIONAL INFORMATION**